Notice of Allowability	Application No.	Applicant(s)	
	10/035,366	HORST, GARY E.	
	Examiner	Art Unit	
	Tran N. Nguyen	2834	
The MAILING DATE of this communication All claims being allowable, PROSECUTION ON THE MERIT herewith (or previously mailed), a Notice of Allowance (PTOI NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATER of the Office or upon petition by the applicant. See 37 CFR	S is (OR REMAINS) CLOSED in L-85) or other appropriate commu	this application. If not included	d
This communication is responsive to The allowed claim(s) is/are			
3. ☐ The drawings filed on are accepted by the Exa 4. ☐ Acknowledgment is made of a claim for foreign priority a) ☐ All b) ☐ Some* c) ☐ None of the:	miner. y under 35 U.S.C. § 119(a)-(d) or	(f).	
1. Certified copies of the priority documents	have been received.		
2. Certified copies of the priority documents	have been received in Application	n No.	
3. Copies of the certified copies of the priorit	y documents have been received	l in this national stage application	n from the
International Bureau (PCT Rule 17.2(a)).		ar nom aro
* Certified copies not received:			
5. Acknowledgment is made of a claim for domestic prior	ity under 35 U.S.C. § 119(e) (to a	ı provisional application).	
(a) ine translation of the foreign language provision	nal application has been received		
6. Acknowledgment is made of a claim for domestic priori	ity under 35 U.S.C. §§ 120 and/o	r 121.	
Applicant has THREE MONTHS FROM THE "MAILING DATE below. Failure to timely comply will result in ABANDONMEN"	of this application. THIS THRE	EE-MONTH PERIOD IS NOT EX	XTENDABLE.
7. A SUBSTITUTE OATH OR DECLARATION must be s INFORMAL PATENT APPLICATION (PTO-152) which gives	submitted. Note the attached EXA reason(s) why the oath or declara	.MINER'S AMENDMENT or NO ation is deficient.	TICE OF
8. CORRECTED DRAWINGS must be submitted.			
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached			
1) Li hereto or 2) Li to Paper No			
(b) ☐ including changes required by the proposed drawi	ng correction filed, which	has been approved by the Exa	ıminer
(c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No			
Identifying indicia such as the application number (see 37 CF of each sheet. The drawings should be filed as a separate pa	P 1 84(c)) should be written an the		
9. DEPOSIT OF and/or INFORMATION about the deattached Examiner's comment regarding REQUIREMENT FO	eposit of BIOLOGICAL MATER R THE DEPOSIT OF BIOLOGIC	RIAL must be submitted. Note AL MATERIAL.	e the
Attachment(s)			
 1⊠ Notice of References Cited (PTO-892) 3□ Notice of Draftperson's Patent Drawing Review (PTO-948 5⊠ Information Disclosure Statements (PTO-1449), Paper No 7□ Examiner's Comment Regarding Requirement for Deposit of Biological Material) 4☐ Interview 5 · <u>2</u> . 6⊠ Examiner's	nformal Patent Application (PTC Summary (PTO-413), Paper No. s Amendment/Comment s Statement of Reasons for Allo	· ·

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DETAILED OFFICE ACTION

Election/Restriction

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- (I) **Claims 1-15** are drawn to the structure of a stator in a motor classified in class 310 subclass 154
- (II) Claims 16-19 are drawn to method of making a stator, classified in class 29, subclass 596.

The inventions are distinct, each from the other because of the following reasons: Inventions in groups I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different products or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case there are various methods to fabricate a permanent magnet stator including automatic machinery process and/or manual process, wherein each process having various orders of fabricating steps. Also, the method of forming the permanent magnet stator in the present invention can be employed to form other magnetic elements such as magnetic sensor, magnetic bearings, and magnetic switches.

A telephone call was made to Mr. Michael Thomas, Reg 39857, on 3/7/03 to request an oral election to the above restriction requirement, Mr. Thomas elected group (I), i.e., claims 1-15, without traverse.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

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application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

Examiner's Amendment

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it must be submitted no later than the payment of the Issue Fee.

Please change the following:

In the claim:

√Cancel claims 16-19 (which is a non-elected invention. See Election/Restriction)

Allowable Subject Matter

Claims 1-15 are allowed.

Reason for Allowability

The following is an examiner's statement of reasons for allowance: the primary reason for the allowance is the including, in combination with other limitations recited in the claims, the limitations of A stator for use in a permanent magnet machine, a stator comprising: a frame having an outer peripheral edge and an inner peripheral edge extending about a central axis; a plurality of stator teeth each extending along a radial axis from the frame's inner peripheral edge toward the central axis; and at least one permanent magnet located at least partly within one of the stator teeth; wherein said one permanent magnet has a pole surface oriented at an oblique angle relative to the radial axis along which said one of the stator teeth extends.

Comparing to the prior-art of the record, none of the prior art references of the record, either stand-alone or in combination, has taught or suggest the above-mentioned features in combination with other limitations recited in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance." Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran Nguyen whose telephone number is (703) 308-1639. Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-1782. The fax phone number for this Group is (703) 305-3431 (32).

TRAN NGUYEN

PRIMARY PATENT EXAMINER

TC-2800